

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NICOLE BROECKER, MICHELLE MARTINO,  
GINA PORCELLO, AMOURA BRYAN, RENA  
GELLMAN, FOTINA LAMBOS, KERRY BEN-  
JACOB, EKATERINA UDINA, ANDREA  
TICHIO, MARIANNA CIACCA-LISS, ANITA  
QUASH, KELLY DIXON, FELICIA HAGAN,  
MARITZA ROMERO, MARIA RUSCELLI,  
BETZIADA CRUZ, FRANCINE TRAPANI,  
JEANNINE LAM, JESSICA NARCISO,  
BRIANNA PEREZ, NICOLETTA MASULLO,  
ANASTASIA CHRISTOPOULOS, FAYE  
KOTZER, BENEDICT LOPARRINO, YADITZA  
RODRIGUEZ, RAFAEL ADRIAN TORO,  
SERINA MENDEZ, DINA HUSSEIN,  
HERENDYRA PEREYRA, ROSA ABREU, JOAN  
GIAMMARINO, ANDREA JACKSON, MARIA  
KLAPAKIS, STELLA PORTO, TONIANN  
MIRAGLIA, ROSEANNA SILVESTRI-  
INCANTALUPO, JULIA A. MAVIS,  
CHRISTOPHER HANSEN, ANNETTE BACKOF,  
DIANE PAGEN, LYNN PEPE, STEPHANIE  
EDMONDS, YVONNE COSTELLO, DEBBY  
HARTZ, SORAYA SANCHEZ, MONIQUE  
MOORE, ANGELA VELEZ, SALLY MUSSAFI,  
JESSICA NICCHIO, DORCA GENAO, RACHEL  
MANISCALCO, JAMES HOFFMAN,  
SHARLAYNE JACOBS, CRYSTAL SALAS,  
FRANCES DIPROSSIMO, CAROLA  
MARTINEZ-VAN BOKKEM, AYSE USTARES,  
ELIZABETH FIGUEROA, DIANNE BAKER-  
PACIUS, NICOLE MOORE, ELIZABETH  
PLACENCIO, DEBBIE BERTRAM, KIMBERLI  
MADDEN, FRAN SCHMITTER, VICTORIA  
RUSSO, PAUL CIFARELLI, DANIELLE HEAL,  
SARA COOMBS-MORENO, LISA SIMO, TAMI  
BENEDUCE, ZABDIEL VALERA, NATHALIE  
CHARLES, JANELLE LOTITO, JEANEAN  
SANCHEZ, MARIE MOSLEY, TARA  
PALLADINO, DANIELLE MCGUIRE, JULIA  
HARDING, LEAH KUKLA, STEPHANIE  
FRANZESE, JULIA BALASIS-MARING, BETH  
SCHIANO, MEAGAN VELEZ, JENNIFER  
ZACCARIELLO, ELENI GERASIMOU, LAURA

**INDEX NO. 21-cv-06387**

**NOTICE OF APPEAL**

SALAMONE, AUBREY JOERGENS, DEIDRA  
STATUTO, LORRAINE MASCIARELLI,  
HENRIETTA SHAYA, AURA MOODY,  
ELIZABETH LOIACONO, RICHARD JOSEPH,  
on behalf of themselves and all other similarly  
situated employees of the New York City  
Department of Education,

Plaintiffs,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION, MEISHA PORTER, in her official  
and individual capacities, UNITED FEDERATION  
OF TEACHERS, LOCAL 2, AMERICAN  
FEDERATION OF TEACHERS, AFL-CIO,  
MICHAEL MULGREW, in his official and  
individual capacities, COUNCIL OF  
SUPERVISORS AND ADMINISTRATORS,  
MARK CANNIZZARO, in his official and  
individual capacities, DISTRICT COUNCIL 37,  
AFSCME AFL-CIO, HENRY GARRIDO, in his  
official and individual capacities, DISTRICT  
COUNCIL 37, AFSCME AFL-CIO, LOCAL 372,  
SHAUN D. FRANCOIS I, in his official and  
individual capacities, DISTRICT COUNCIL 37,  
AFSCME AFL-CIO, LOCAL 1251, FRANCINE  
FRANCIS, in her official and individual capacities,  
MARTIN F. SCHEINMAN, SCHEINMAN  
ARBITRATION AND MEDIATION SERVICES,  
SCHEINMAN ARBITRATION AND  
MEDIATION SERVICES, LLC, JOHN DOE #1-10,  
in their official and individual capacities; and JANE  
DOE #1-10 in their official and individual capacities,

Defendants.

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**PLEASE TAKE NOTICE** that all of the Plaintiffs hereby appeal to the United States Court of Appeals for the Second Circuit from the *Judgment* entered in this action on March 31, 2023, following the *Memorandum & Order* of the Honorable Kiyo A. Matsumoto, dated March 30, 2023 and entered March 30, 2023, granting the Defendants' Motions to Dismiss in their entirety pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and from each and every part of said judgment.

**PLEASE TAKE FURTHER NOTICE** that all of the Plaintiffs hereby appeal to the United States Court of Appeals for the Second Circuit from the *Memorandum And Order* of the Honorable Kiyo A. Matsumoto, dated November 24, 2021 and entered November 24, 2021, denying the Plaintiffs' Motion for a Temporary Restraining Order and a Preliminary Injunction and from each and every part of said Memorandum and Order.

**PLEASE TAKE FINAL NOTICE** that all of the Plaintiffs hereby appeal to the United States Court of Appeals for the Second Circuit from the *Memorandum & Order* of the Honorable Kiyo A. Matsumoto, dated February 11, 2022 and entered February 11, 2022, denying the Plaintiffs' Motion for a Temporary Restraining Order and a Preliminary Injunction and from each and every part of said Memorandum and Order.

Dated: Garden City, New York  
April 20, 2023

THE SCHER LAW FIRM, LLP

By: *Austin Graff*  
AUSTIN GRAFF  
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